

EXHIBIT K

Cited portions of Deposition of Mark Daggy dated 10/25/2014
taken in *Lana Canen v. Dennis Chapman, et al.*,
U.S. District Court, Northern District of Indiana,
South Bend Division, Case No. 3:14-CV-00315

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

LANA CANEN,)
)
Plaintiff,)
)
vs) Case No.
) 3:14-cv-315-RL-CAN
DENNIS CHAPMAN and MARK DAGGY,)
)
Defendants.)
)

The Deposition of MARK DAGGY

Date: Tuesday, October 28, 2014

Time: 10:30 a.m.

Place: Elkhart Police Department
175 Waterfall Drive
Elkhart, Indiana

Called as a witness by the Plaintiff
in accordance with the Federal Rules of Civil
Procedure for the United States District
Court, Northern District of Indiana, South Bend
Division, pursuant to Notice.

Before Charolette A. Martinez, CSR 11983
Notary Public, St. Joseph County, Indiana

MIDWEST REPORTING, INC.
1448 Lincolnway East
South Bend, Indiana 46613

1 APPEARANCES:

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24 For Defendant, Dennis Chapman.

25 ALSO PRESENT: Dennis Chapman
Cindy Bennett

* * *

1 A. I've had no training at all in any kind of
2 fingerprint-taking.

3 Q. Okay. Now, we've identified yourself and
4 Dennis Chapman as defendants in this matter. When
5 was the last time the two of you talked about a
6 case of -- the case of Lana Canen?

7 A. I don't believe I've ever talked to him about the
8 case of Lana Canen.

9 Q. You've never talked to him?

10 A. I don't believe I've ever talked to him at all, ever.

11 Q. Prior to trial in 2004 you didn't have any
12 conversation with him?

13 A. I've never had any conversation with Dennis Chapman.

14 Q. We'll get there, then.

15 At some point did you tell Lana Canen before
16 the murder that you were going to arrest her for
17 the burglaries?

18 A. I may have.

19 Q. Did you discuss that decision to arrest her with
20 anyone else?

21 A. I don't think so.

22 Q. Do you want to refer to any of these records to
23 refresh your memory whether you've discussed this
24 with a supervisor or with any other detective?

25 A. If I need to, sure.

1 Q. Now, at this time it would have been, what, five,
2 six months after -- after the homicide?

3 A. She was arrested in April of 2003. Homicide was in
4 '12 of -- about five months, maybe.

5 Q. Okay. I'm just estimating. What had happened, if
6 you know, with regard to the homicide investigation
7 in those five months?

8 A. I don't know. I didn't work on it then.

9 Q. Okay. All right.

10 At some point you explained that there was
11 another officer who was primarily involved in the
12 homicide. Is this what we -- are we referring to a
13 new phase where there was a group of detectives now
14 working this as a cold case?

15 A. No. I think the -- I'm not sure what -- I don't
16 understand your question. I'm not sure what your
17 time frame is.

18 We formed the homicide unit -- I believe it was
19 August 2003. That's when we picked this case up.

20 Q. Yes. And that's when Detective Chapman was
21 involved in his fingerprint analysis?

22 A. I have no idea when he was involved with it.

23 Q. All right. But you weren't aware that he was
24 involved in this as a fingerprint analysis expert?

25 A. No.

1 CERTIFICATE

2 I, Charolette A. Martinez, a Notary Public, in and
3 for the County of St. Joseph and State of Indiana, do
4 hereby certify there appeared before me, MARK DAGGY, on
5 Tuesday, October 28, 2014, who was duly sworn to
6 testify the truth, the whole truth, and nothing but the
7 truth to questions propounded at the taking of the
8 foregoing deposition in a cause now pending and
9 undetermined in said court;

10 I further certify that I then and there reported
11 stenographically the proceedings at the said time and
12 place; that the proceedings were then transcribed from
13 my original shorthand notes; and that the foregoing
14 transcript is a true and correct record thereof;

15 IN WITNESS WHEREOF, I have hereunto set my hand
16 and affixed my notarial seal this 3rd day of November,
17 2014.

18
19
20
21 _____
22 Charolette A. Martinez, CSR
23 Notary Public, State of Indiana
24 Residence: St. Joseph County
25 Commission Expires: 12-18-2022

1 UNITED STATES DISTRICT COURT
 2 NORTHERN DISTRICT OF INDIANA
 3 SOUTH BEND DIVISION

3 LANA CANEN,)
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 5 Plaintiff,)
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 7 vs) Case No.
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 9 DENNIS CHAPMAN and MARK DAGGY,)
 10)
 11 Defendants.)
 12)

9 MARK DAGGY

10 I hereby acknowledge that I have read the foregoing
 11 deposition transcript regarding the case of Canen Vs.
 12 Daggy, taken on October 28, 2014, and that the same is a
 13 true and correct transcription of the answers given by me
 14 to the questions propounded, except for the additions or
 15 changes, if any, as noted on the attached errata sheet.

16
 17
 18 _____
 19 MARK DAGGY

20 Subscribed and sworn to me
 21 this _____ day of _____,
 22 2014, A.D.

23 Notary Public or Witness _____
 24 State of _____
 25 County of _____
 My commission expires: _____

Deposition of: Mark Daggy.

Date: **October 28, 2014**

[illegible]

MIDWEST REPORTING, INC.
1448 Lincolnway East
South Bend, Indiana 46613
(574) 288-4242

Signature: Mark Dagg

Date: 12-02-14